

<b>PRE-APPEAL BRIEF REQUEST FOR REVIEW</b>		Docket Number <b>Q67282</b>	
Mail Stop AF Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	Application Number	Filed	
	<b>10/000,362</b>	<b>December 4, 2001</b>	
	First Named Inventor		
	<b>Gerard AUVRAY</b>		
	Art Unit	Examiner	
	<b>2618</b>	<b>Sujatha R. SHARMA</b>	
<p style="text-align: center;">WASHINGTON OFFICE <b>23373</b> CUSTOMER NUMBER</p>			
<p>Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.</p> <p>This request is being filed with a notice of appeal</p> <p>The review is requested for the reasons(s) stated on the attached sheet(s). Note: No more than five (5) pages may be provided.</p> <p><input checked="" type="checkbox"/> I am an attorney or agent of record.</p> <p>Registration number <u>28,703</u></p>			
		<p style="text-align: center;">Signature <u>/DJCushing/</u></p>	
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		<p style="text-align: center;">January 28, 2007 Date</p>	

**PATENT APPLICATION**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of

Docket No: Q67282

Gerard AUVRAY, et al.

Appln. No.: 10/000,362

Group Art Unit: 2618

Confirmation No.: 9785

Examiner: Sujatha R. SHARMA

Filed: December 4, 2001

For: A SYSTEM FOR PROVIDING A MOBILE TELEPHONE SERVICE ON BOARD A  
VEHICLE

**PRE-APPEAL BRIEF REQUEST FOR REVIEW**

**MAIL STOP AF - PATENTS**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Pursuant to the Pre-Appeal Brief Conference Pilot Program, and further to the final Office action dated October 18, 2006, Applicant files this Pre-Appeal Brief Request for Review. This Request is also accompanied by the filing of a Notice of Appeal.

Claims 1-3 and 5-7 are rejected for anticipation by Lidbetter (EP 1079547), and claims 4 and 8 are rejected for obviousness over Lidbetter in view of Horrer (US 6321084).

As described at page 1 of the present application, the invention relates to a technique for connecting a call from a mobile telephone user on a vehicle to a mobile telephone user connected to a terrestrial network. Conventionally, when a user (e.g., USER 1, Fig. 1) onboard the vehicle requests setting up a call to a terrestrial user (USER 2), the mobile telephone connection process requires first a connection request of the user to the onboard equipment A that handles calls, then a connection request from the onboard equipment to the terrestrial equipment B, then setting up

and activating the connection between the equipments A and B, and then connecting the equipment unit B to the terrestrial user. The present invention seeks to reduce the connection time required to connect such a call, and the solution provided by the invention is to set up the connection between the equipments A and B ahead of time, and then when a connection request is received it is only necessary to (1) activate the A-B connection and (2) make a connection from the terrestrial equipment B to the called user.

Lidbetter proposes an arrangement whereby a cell of a mobile radio system is onboard a ship. The cell is turned off when the ship comes within range of a fixed cell of a land-based mobile system, to prevent interference. When the onboard cell is operational, the base transceiver station (BTS) onboard the ship appears to the user to be like any other base station of the cellular network, allowing for radio connections between the BTS and mobile terminals onboard the ship. The BTS itself is connected to the land-based network via a “tracking” satellite link between the BTS onboard the ship and a fixed satellite earth station connected to the land-based network. There is little detail given about the “tracking” satellite link in Lidbetter. It is clear from paragraph [0011] that there is some continuous aspect to it, but there is no discussion as to exactly what is continuous. More particularly, there is no description anywhere in Lidbetter of a user onboard the ship making a call and the ship not having to then place a call over the satellite link. Paragraph [0017] describes the satellite tracking system as a conventional satellite telephone system. In such a system, it is ordinarily necessary to place a call and request a connection in order to have a connection. Paragraphs [0018] and [0020] suggest that the satellite link is used to update the VLR when a mobile user onboard the ship logs onto the

network, so that the terrestrial network will know where to route calls. Paragraph [0011] describes the ship as being able to stay in contact with the satellite earth station throughout the duration of a voyage, but this is not inconsistent with simply being in a coverage zone for the duration of a voyage so that a call connection could be requested and set up between the ship and the satellite earth station whenever needed.

With respect to the anticipation rejection of claims 1-3 and 5-7, claims 1 and 5 call for the transport connection to be set up before a call is requested and then used immediately for a call as soon as the call is requested. According to the present invention, the transport connection is the connection E2 in Fig. 3 is the same as the connection 3 in Fig. 2, simply set up ahead of time. So it is ready to use, except perhaps for activation which is immediate.

Lidbetter describes a tracking link, but it is not described as being maintained such that there is no need to request and establish a connection over that satellite link after a call has been requested. There is no indication that the setting up of the connection for the call is completed to the point that it simply needs to be turned on. It appears that the connection is available, but there is no description that it does not have to be set up or that it can be immediately used. Even if Lidbetter is read as disclosing a continuously connected satellite link, paragraph [0017] further describes that the satellite connection provides several voice channels and a signaling channel. If there are several channels over the satellite link, there will have to be some mechanism for requesting one of the available channels, selecting one, connecting it to the call, etc. Thus, Lidbetter does not have a connection that is all set up and simply at most needs to be activated as in the present invention.

For the above reasons, it is submitted that claims 1 and 5 are not anticipated by Lidbetter. In addition, claims 9-12 emphasize the distinction between the use of the transport connection in the present invention and the tracking satellite link in Lidbetter. Because the transport connection in the present invention is simply an advance setup of the connection that was set up for the single call illustrated in Fig. 3, the invention is able to eliminate the request step (2) and at least part of the setting up step (3) in the prior art, as noted at lines 3-5 of page 3 of the present application. Lidbetter does not teach the elimination of the request step and most of the setup.

With regard to claims 2 and 6, there is no discussion in Lidbetter of a standby state for the tracking satellite link. The link is either there or it is not, and if it is there it is active and consuming signaling resources. There is no suggestion of maintaining that connection “in a standby state” as is recited in claims 2 and 6. Thus, claims 2 and 6 are clearly not anticipated. Claims 13 and 14 have been added to clarify that the standby state is one in which substantially no resources are consumed, which is clearly not the case in whatever “state” of Lidbetter the examiner reads as a “standby” state. The significance of the standby state is discussed at lines 15-17 of page 4 of the present application.

Regarding claims 3 and 7, the present invention according to one aspect sets up the link in advance and then holds it for a time period. It then shuts down, but is then reactivated after a delay period. This is recited in claims 3 and 7 but is neither shown nor suggested in Lidbetter. The examiner has correctly noted that Lidbetter does not keep the satellite link up at all times but may shut it down, e.g., when in port. But this is not limiting the duration and reactivating after a delay period.

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As to claims 3 and 7, those claims recite that the transport connection is maintained for a limited time determined by a time delay. This is neither show nor suggested in Lidbetter. This is not simply a recitation that the connection is not always on, but the requirement for some automatic time-out of the connection.

Respectfully submitted,

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